MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/17/80439

DESCRIPTION	Installation of 4no. air conditioning units (retrospective)
ADDRESS	83 Tinning Way, Eastleigh, SO50 9QH

SITE VISIT DATE	6/6/17			
ARE PLANS ACCURATE?	X	Yes		
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	X	Yes		

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the installation of 4 no. air conditioning units located at rear of property, facing car park. These units have now been installed.					
SITE AREA	n/a					
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a					
TOPOGRAPHY	X	Level		Sloping …..		Other …
TREES	X	No		Yes, …..		
BOUNDARY TREATMENT		Open plan				
SITE CHARACTERISTICS	Mixed use 4 storey building consisting community centre and play group, learning centre and residential uses.					
CHARACTER OF LOCALITY	The application site forms part of a large modern mixed development. Comprising mainly residential with offices and community building.					

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/11/70044	Construction of 312 dwellings and flatted block incorporating D1 use (eg Creche, community hall, training establishment) with associated vehicular accesses from Dew Lane, Passfield Avenue, George Raymond Road and Great Farm Road, pedestrian accesses, parking, landscaping, open space including public art, and retention of existing office building, following demolition of existing buildings and associated structures.	PERMIT 26/07/2012

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environmental Health	Thank you for consulting Environmental Health regarding the above application. I have reviewed the 24 Acoustics report R6836-1 Rev2 dated 7/4/17 and also plan CWAC-001A dated 10/2/17 showing the proposed location for the plant. Based upon this information, the proposed plant is unlikely to have a significant adverse impact upon amenity. This is especially so if the plant is operable only between 07:00 hours and 23:00 hours. The operational times are not specified in the application form but are referenced in the acoustic report. I assume the latter is correct. As such, I would recommend that any consent is subject to a condition as follows: ***CONDITION: The Mitsubishi PUHZ-P100VHA2 and PUHZ-P100VHA3 air conditioning units shall not be operational between the hours of 23:00 hours and 07:00 hours on any day.***

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011) 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, DM1 (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

Eastleigh Character Area

SPECIAL POLICY AREA

N/A

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

X	See below		Other……

COMMENT ON REPRESENTATIONS RECEIVED

X	See below		No objection

PLANNING OBLIGATION/CONSIDERATIONS

N/A

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

MATERIAL CONSIDERATIONS

Principle - The site is located within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance wih the relevant local plan policies and supplementary guidance. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

Visual Amenity - The proposed air conditioning units would be located at first floor level to the rear of the property facing the Aspire House office car park and are considered to be development of a small scale. The closest residential property with a view of the air conditioning units is 3 Annealing Close which is located over 20 metres from the development. The new units are not therefore considered to result in an adverse visual impact upon the immediate area.

Residential amenity - Whilst the proposal would result in the provision of 4 air conditioning units, the Head of Environmental Health is satisfied that the noise report submitted with the planning application demonstrates an acceptable noise level. However, they have suggested a condition be added that the air conditioning units shall not be operational between the hours of 23.00 and 07.00 hours on any day. That being the case, the proposal would not have an unacceptable impact upon the amenity of nearby residential properties and as such is considered acceptable.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The recommendation is to permit.